

EXHIBIT E

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At ~~the~~ Part 23 of the Supreme
Court of the State of New York
held in and for the County of New
York at the Courthouse located at
80 Centre Street, New York, New
York on the 1st day of ~~October~~, November
2021

PRESENT: Hon. W. Francis Perry, JSC

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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In the Matter of the Application of :

Index No. 159738/2021

ANDREW ANSBRO, as President of the Uniformed
Firefighters Association, (UFA)

: **ORDER TO SHOW CAUSE**
: **WITH TEMPORARY**
: **RESTRAINING ORDER**

Petitioner,

For a Judgment Pursuant to Article 78 of the New York
Civil Practice Law and Rules,

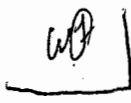
--against--

Bill de Blasio, as Mayor of the City of New York; The
City of New York; The New York City Department of
Health and Mental Hygiene; and the Fire Department of
the City of New York,

Respondents.
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Upon review of the annexed Verified Petition, verified on the 28th day of October
2021, and the exhibits annexed thereto, the Affirmation of Michael N. Block, dated October
28, 2021 and the exhibits annexed thereto, and the Memorandum of Law in Support of the
Verified Petition and Order to Show Cause for a Temporary Restraining Order and
Preliminary Injunction, dated October 28, 2021, and upon all pleadings and proceedings
heretofore had herein, ~~it is hereby~~

LET
~~ORDERED~~ that the Respondents, Bill de Blasio, as Mayor of the City of New York,
The City of New York, The New York City Department of Health and Mental Hygiene and
the Fire Department of the City of New York ^{or Counsel} show cause before this Court either virtually, or
at the Supreme Court Courthouse in the County of New York, ⁸⁰ 60 Centre Street, New York,
NY, in IASPart 23 as

 assigned by the Court and per the Court's instructions, on November 23, 2021 at
^{10 am}
9:30 a.m. or as soon thereafter as counsel may be heard, why an Order should not be made
and entered:

1. Granting Petitioner, Andrew Ansbro, in his capacity as President of the
Uniformed Firefighters Association a preliminary injunction, pending the hearing and
determination of this proceeding, enjoining and restraining Respondents and all persons
acting on their behalf who are in concert with them, in any manner or by any means from
implementing and enforcing the vaccine mandate set forth in the "Order of the
Commissioner of Health and Mental Hygiene to Require COVID-19 Vaccination for City
Employees and Certain City Contractors," dated October 20, 2021, as against UFA
members;

2. Declaring that, as applied to UFA members the vaccine mandate violates
State and City law and is arbitrary and capricious and an abuse of discretion;

3. Vacating the vaccine mandate as applied to UFA members as contrary to
law, arbitrary and capricious and an abuse of discretion;

4. Awarding Petitioner costs and attorneys' fees; and

5. Granting such other and further relief so as this Court seems just and proper;

and

WJD
JSC
After a Virtual Hearing on November 1, 2021, TRO Denied.

IT IS FURTHER ORDERED that pending the hearing and determination of this application, Respondents and all persons acting on their behalf or in concert with them are temporarily enjoined and restraining from implementing or enforcing the vaccinate mandate as against UFA members; and

IT IS FURTHER ORDERED that delivery of a copy of this Order to Show Cause and Temporary Restraining Order and the papers upon which it is based to Respondents by personal service on the New York City Law Department, on or before 11/5, 2021, shall be deemed good and sufficient service; and

IT IS FURTHER ORDERED, that Respondents answering papers, if any, shall be electronically filed on or before 11/17, 2021 and;

IT IS FURTHER ORDERED, that leave is hereby granted to Petitioner to submit upon the return date of this Order to Show Cause, and any subsequent day that shall be determined by the Court on said return date, such additional evidence, exhibits, legal memoranda or other proof as may be appropriate.

Signed this _____ day of _____, 2021, at New York, New York.

ENTER:

WJD
J.S.C.

Oral Argument
Directed

WJD
JSC